

July 17, 2007

A regular meeting of the Redmond City Council was called to order by Mayor Rosemarie Ives at 7:30 p.m. in the Council Chamber. Council members present were: Allen, Cole, Marchione, McCormick, Resha, Robinson and Vache.

ANNOUNCEMENTS

The Mayor announced the Council will recess to an Executive Session for approximately 20 minutes to discuss labor relations and potential litigation.

The Mayor reconvened the meeting at 8:11 p.m.

RECOGNITION

The Mayor recognized Caitlin Snaring, National Geography Bee Winner.

The Mayor recognized the members of the Education Hill Community Advisory Committee for their significant contribution to the Education Hill Neighborhood Plan.

ITEMS FROM THE AUDIENCE

Bob Yoder, 10019 169 Avenue, asked if the could speak on Shaughnessy Heights.

James E. Haney, City Attorney, stated that since Mr. Yoder is not one of appellants and as this was a closed record public hearing, he would not be allowed to speak on the issue.

CHANGES TO THE AGENDA

The Mayor announced the following changes to the agenda:

- Under Staff Reports add an oral report on Verizon infrastructure improvements.
- Under New Business add domestic partner benefits as presented in a letter from Lambda Legal.

CONSENT AGENDA

Motion by Ms. McCormick, second by Mr. Resha, to approve the following items on the Consent Agenda:

- (1) approve the minutes of the regular meeting of June 19, 2007

- (2) approve the following payroll/direct deposit and claims checks:

PAYROLL/DIRECT DEPOSIT CHECKS:

#167145 through #167348; and
#178272 through #179545 \$2,580,547.75

CLAIMS CHECKS:

#326500 through #327287 \$8,629,205.57

- (3) confirm the appointment of Dayle "Hank" Margeson to the Parks and Trails Commission
- (4) approve the Interlocal Agreement between King County and the City of Redmond for the Design and Construction of the Avondale Road/Novelty Hill Road Corridor Intelligent Transportation System, CIP No. 07-CI-05/101098, and authorize the Mayor to sign the agreement
- (5) approve the Consultant Agreement with DKS Associates to undertake the engineering and design services for the Redmond Intelligent Transportation System - Phase 5, Project No. 07-CI-09/101112;

the fair and reasonable price for providing engineering design services for the project is \$241,824.88 plus \$33,175.12 for contingencies, for a total amount of \$275,000; and authorize the Mayor to sign the agreement

- (6) authorize the Mayor to execute the Memorandum of Understanding

between the City of Redmond and the Seattle-King County Department of Public Health to accept a grant of \$13,581.30 to implement the Local Hazardous Waste Management Program in 2007

- (7) approve the Targeted Safety Improvement Program (TSIP) and authorize the Mayor to proceed with the implementation
- (8) approved the final plat of Verizon - Preliminary Plat, L040341 and Planned Residential Development, L040342
- (9) authorize the Mayor to execute a letter of understanding with the Washington State Department of Transportation to accept State Commute Trip Reduction Performance Grant funding of \$92,500 to be budgeted and accounted for in the Operating Grants Fund (Fund 118)
- (10) authorize the Mayor to execute an agreement with the Washington State Department of Transportation to accept State Trip Reduction Performance Program funding to implement Redmond's Going for Green Employer Commute Program
- (12) adopt Ordinance No. 2353, an Ordinance of the City of Redmond, Washington, amending the Redmond Municipal Code and the Redmond Community Development Guide to adopt regulations pertaining to the Transfer of Development Rights Program, and establishing an effective date, which was presented and read

Upon a poll of the Council, Allen, Cole, Marchione, McCormick, Resha,

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Robinson, and Vache voted aye. Motion
carried unanimously (7 - 0).

RESOLUTION: ADOPTION OF SIX-YEAR TRANSPORTATION
IMPROVEMENT PROGRAM (TIP) 2008-2013

The Mayor, in a memorandum to the City Council dated July 17, 2007, recommended approving the Resolution adopting the 2008-2013 Six-Year Transportation Improvement Program and granting authorization to sign the grant agreement for TIP projects B10, C42, P3, S26 and S36.

Motion by Mr. Cole, second by Ms. McCormick, to approve Resolution No. 1253 to adopt the Six-Year Transportation Improvement Program (TIP) for the years 2008-2013 to be filed with the State Secretary of Transportation and authorize the Mayor to sign the grant agreement for TIP projects.

Councilmember Cole explained Council had spent several study sessions on this issue and had gone through a prioritization process on the TIP.

Resolution No. 1253, a Resolution of the City Council of Redmond, Washington, adopting a Six-Year Transportation Improvement Program for the years 2008-2013 and directing the same to be filed with the State Secretary of Transportation and the Transportation Improvement Board, was presented and read.

Upon a poll of the Council, Allen, Cole, Marchione, McCormick, Resha, Robinson, and Vache voted aye. Motion carried unanimously (7 - 0).

OATH OF OFFICE

James E. Haney, City Attorney, administered the Oath of Office to Parks and Trails Commissioner Dayle "Hank" Margeson.

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PUBLIC HEARING AND ORDINANCE: PERRIGO HEIGHTS RIGHT-OF-WAY
AND EASEMENT VACATION, L060505

The Mayor, in a memorandum to the City Council dated July 17, 2007, recommended approving an ordinance as requested by CamWest Development Corporation to vacate a portion of right-of-way and easement lying within the proposed plat of Perrigo Heights and, as requested by the Public Works Department, vacate a portion of the same right-of-way and easement lying outside of the proposed plat of Perrigo Heights.

The Mayor opened the public hearing at 8:31 p.m.

Bob Yoder, 10019 169 Avenue NE, encouraged Council to build judiciously and preserve open space.

John Harkness, 9720 NE 120 Place, Suite 100, Kirkland, representing CamWest Development, provided an overview of the right-of-way and easement vacation and explained that reforestation of the corridors was part of the conditions of approval.

Hearing no further testimony, the Mayor closed the public hearing at 8:41 p.m.

Motion by Ms. McCormick, second by Mr. Cole, to approve Ordinance No. 2354 as requested by CamWest Development Corporation to vacate a portion of right-of-way and easement lying within the proposed plat of Perrigo Heights and, as requested by the Public Works Department, vacate a portion of the same right-of-way and easement lying outside of the proposed plat of Perrigo Heights.

Ordinance No. 2354, an Ordinance of the City of Redmond, Washington, vacating a portion of right-of-way and easement per instrument per King County Recording Number 4171313 lying within and without the proposed plat of Perrigo Heights pursuant to RCW 35.79 and RMC 20F.20.210 and establishing an effective date, was presented and read.

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Upon a poll of the Council, Allen, Cole, Marchione, McCormick, Resha, Robinson, and Vache voted aye. Motion carried unanimously (7 - 0).

PUBLIC HEARING: CLOSED RECORD APPEAL, L070249; SHAUGHNESSY HEIGHTS PLAT, L050180

The Mayor, in a memorandum to the City Council dated July 17, 2007, recommended upholding the Hearing Examiner's decision to approve the Shaughnessy Heights preliminary plat by denying the appeal made by Gerald Smith and six other neighbors.

The Mayor opened the public hearing at 8:48 p.m.

Steven Fischer, Senior Planner, provided an overview of the closed record public hearing process. He reviewed the details of the proposed Planned Residential Development and said the project was vested under the old sensitive area code.

Steve Howard, 8501 169 Place NE, expressed concerns regarding tree retention, an omission on the staff report regarding the water main and the appearance that the Hearing Examiner changed his mind in leaving the record open and allowing additional public input after the hearing.

Robert Johns, 1601 110 SE, #110, Bellevue, Attorney for the Developer, explained the water main changes were in the record at the outset of the project, there was no harm caused by the Hearing Examiner limiting the record, the developer would adhere to the tree guidelines in the Redmond Community Development Guide and encouraged Council to deny the appeal.

Jill Richardson, 16702 NE 103 Place, said the water main changes were not in the staff report and asked if the upgrades are not put in place in this development then they should become a capital improvement program project.

In response to Council questions, Mr. Haney explained the City Council could remand the issue, on a limited basis, back to the Hearing Examiner if the appellant and the applicant do not object.

Motion by Ms. McCormick, second by Mr. Robinson, to deny the Hearing Examiner's decision to approve the Shaughnessy Heights preliminary plat, to uphold the appeal made by Gerald Smith and six other neighbors, and remand Shaughnessy Heights back to the Hearing Examiner.

Mr. Haney said the subject remains quasi-judicial and he would draft findings and conclusions for Council adoption as inherent in the motion.

Motion carried unanimously (7 - 0).

Mayor Ives stated due to the action on Shaughnessy Heights the action item under New Business would be removed from the agenda.

Hearing no further testimony the Mayor closed the Public Hearing at 9:49 p.m.

Staff Report - Wellhead Protection Program Update

Bill Campbell, Interim Public Works Director, in a memorandum to the City Council dated July 17, 2007 updated the Council on the Wellhead Protection Program.

Kevin Murphy, Wellhead Protection Program Lead, provided an update to the City Council regarding the health of the underground water drinking resource, the successes of the Wellhead Protection Program to date, and the challenges the resources face in the future.

Staff Report - Verizon Update

Bill Campbell, Interim Public Works Director, updated Council on the Verizon project per recent articles.

OMBUDSMAN REPORT

Councilmember Allen received a comment from a resident regarding placement of a For Sale sign for her home and an unintended by-product of the City's Sign Ordinance.

Councilmember Allen received several letters from local business owners regarding Overlake zoning changes and a letter regarding lighting standards for residential neighborhoods.

Councilmember Robinson received a number of complaints regarding traffic concerns related to the road improvements in the Grasslawn area.

Councilmember Marchione received feedback regarding the utility corridors in the Perrigo Heights development.

DOMESTIC PARTNER BENEFITS

Mayor Ives explained the City was advised of potential litigation regarding domestic partner benefits for same sex couples and invited the Council's motion to report back on a recommended action at the next regular Council meeting.

Motion by Mr. Cole, second by Mr. Robinson and Ms. McCormick, to direct the administration to report back at the next meeting on August 21, 2007 with an ordinance reflecting changes needed in the City's code and policies to provide certain benefits to domestic partners, consistent with Washington State's new Domestic Partnership Registration Law that becomes effective later this month. Motion carried unanimously (7 - 0).

ORDINANCE: ADOPT EDUCATION HILL NEIGHBORHOOD PLAN UPDATED POLICIES

ORDINANCE: ADOPT EDUCATION HILL NEIGHBORHOOD PLAN UPDATED REGULATIONS

The Mayor, in a memorandum to the City Council dated July 17, 2007, recommended adopting two ordinances updating the Education Hill Neighborhood Plan policies and regulations.

Motion by Mr. Cole, second by Ms. Allen, to adopt Ordinance No. 2355 and

Ordinance No. 2356 updating the
Education Hill Neighborhood Plan
policies and regulations.

Councilmember Resha said he would vote no on the motion because the recommendations go too far as to how people manage their property.

Ordinance No. 2355, an Ordinance of the City of Redmond, Washington, amending the Redmond Municipal Code and the Redmond Comprehensive Plan to adopt the Education Hill Neighborhood Plan, L00019; repeal outdated policies; provide for severability; and establish an effective date, was presented and read.

Ordinance No. 2356, an Ordinance of the City of Redmond, Washington, amending the Redmond Municipal Code and the Redmond Community Development Guide to adopt residential regulations, amended zoning map, multiplex regulations, residential architectural and site design regulations, amended cottage housing regulation, and amended affordable housing regulations applicable to the Education Hill Neighborhood, add a section entitled Backyard Homes, add a definition; provide for severability; and establish an effective date, was presented and read.

Upon a poll of the Council, Allen,
Cole, Marchione, McCormick, Robinson,
and Vache voted aye. Motion carried (6
- 1) with Resha voting nay.

COMMITTEE REPORTS

Committee Report - Planning and Public Works Committee: Development Review Process

Councilmember Resha reported the Planning and Public Works Committee worked diligently on issues resulting in significant changes to the development review notification process and how the City communicates with the public. He reviewed the recommendations in the report and requested the issues be placed on the follow-up list to make sure the items are carried forward.

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Motion by Mr. Vache, second by Mr. Marchione, to accept and concur with the Planning and Public Works Committee report and recommendations. Motion carried unanimously (7 - 0).

Committee Report - Public Safety Committee

Councilmember Allen, Public Safety Chair, discussed the sequential intercept model of the Regional Law, Safety and Justice Committee is circulating to all city councils for comment. The model is a way of addressing the interface between law enforcement and citizens.

Miscellaneous Report - Growth Management Policy Board

Councilmember Cole reported the Growth Management Policy Board passed the Urban Center designation for Overlake on July 12, 2007, and it will go to the Puget Sound Regional Council Executive Board on July 19, 2007.

ADJOURNMENT

There being no further business to come before the Council, Mayor Ives declared the meeting adjourned at 10:44 p.m.

MAYOR

CITY CLERK